

## 17. Summary of Permitted and Allowed Uses in the Zoning Districts

(See zoning ordinance [§ 78-400](#), Table of Principal Permitted and Allowed Uses, and [§ 78-402](#), Accessory Uses and Structures)

The Town of Herndon Zoning Ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at [community.development@herndon-va.gov](mailto:community.development@herndon-va.gov) or 703-787-7380 for complete permitting requirements.

### How does the zoning ordinance handle land uses?

The Commonwealth of Virginia provides that local jurisdictions may zone land according to land use, based on the local comprehensive plan. The Mayor and Town Council adopted a zoning map which is regulatory and helps describe where land use activities may be conducted within the town. The zoning map is a legal document and the regulations associated with it (the zoning ordinance) are law. They provide information about permitted and allowed uses in each zoning district. The zoning map depicts residential districts, business districts, industrial districts, and planned development districts. For zoning purposes, Herndon also categorizes land uses as permitted

- ☐ by-right,
- ☐ allowed,
- ☐ permitted by Special Exception,
- ☐ or not permitted at all.

A **by-right** use is a use in conformance with the underlying zoning district. For example, an R-10 single-family development in an R-10 zoning district is in conformance with the existing zoning district standards and is therefore a by-right development.

**Allowed** uses occur only in planned development districts, because the list of uses is approved at the time the planned development is approved by the Town Council.

A **Special Exception** use ordinarily might not be permitted; however, the zoning ordinance provides that certain standards, applied on a case-by-case basis, may make the use acceptable and compatible with other uses. All zoning districts in the town, except Planned Development Districts, have specific uses that are classified as Special Exceptions. For example, government buildings are permitted only with a Special Exception to ensure that the proposed building is harmonious with its surroundings. Some uses, such as restaurants, are permitted by-right in some districts and by Special Exception in other districts.

Sometimes, certain uses are accessory (secondary) to other uses (principal or primary uses). As an **accessory use**, the proposed use must meet standards provided in the Ordinance, including:

- ☐ Not to exceed an amount of floor area equivalent to 20 percent of the total floor area of the principal use to which it is accessory.
- ☐ Be compatible with adjacent land uses in terms of hours of operation, noise, lighting, parking and similar considerations.

[Table 78-400](#) lists every use that is permitted by-right, allowed in a planned development, permitted as a Special Exception, permitted as an accessory use, or permitted as an accessory use with a Special Exception. Almost all uses have specific standards explained in zoning ordinance [Article IV, Use Regulations](#). A blank cell indicates that the use is prohibited in the zoning district.

### What if a land use is not shown in the tables?

The Zoning Administrator may consider permitting the land use based on a procedure described in Zoning Ordinance [§ 78-400\(a\)\(7\)\(b\)](#), *Standards for Approving Unlisted Uses* where a use is not specifically listed. The request will be treated as an Interpretation pursuant to § 78-202.11, *Determinations*. The Zoning Administrator will consider the intent of the zoning district(s) involved, the character of the uses specifically identified, and the character of the use(s) in question. Based on these considerations, the Zoning Administrator may find that the proposed use is not permitted in any district.

By contrast, where a particular use is specifically listed in one district in [Table 78-400](#), Table of Principal Permitted and Allowed Uses, and a blank cell is shown in a second district, the use is considered specifically prohibited in the second district, and the Zoning Administrator may not permit the use.

## Need more information?

Have a question regarding required permits, the permit process, or application requirements? Call 703-787-7380 or e-mail [community.development@herndon-va.gov](mailto:community.development@herndon-va.gov) to make an appointment to see a member of the Department of Community Development.

Have a question regarding Building Permits or construction codes? Call 703-435-6850 or e-mail [buildinginspections@herndon-va.gov](mailto:buildinginspections@herndon-va.gov) to make an appointment to see the Building Official.

Visit the Planning and Zoning page on the Town's web site, [www.herndon-va.gov](http://www.herndon-va.gov) to view the Department of Community Development web site for the Zoning Ordinance User Guide series or to access the town code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20170.

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